It was Thursday evening, March 3, 1791. Fluttering candles lighted a scene of confusion in the Senate chamber as the last session of the First Congress of the United States drew to a close. Amid a babel of voices Vice-President Adams left his chair and the members rose and hurried for the door. Many were off for brief vacations; a few whose terms had expired were leaving not to return. One of the latter, Senator William Maclay of Pennsylvania, was still at his desk packing his papers. Of all his colleagues only one paused to bid him good-bye. Finally Maclay too arose and started to go; then he stopped and turned back to the empty room. "I gave it a look," he wrote later, "with that kind of satisfaction which a man feels on leaving a place where he has been ill at ease, being fully satisfied that many a culprit has served two years at the wheelbarrow without feeling half the pain and mortification that I experienced in my honorable station."

This was the man to whom we owe almost all of our knowledge of the first sessions of the United States Senate. Unfortunately for him, he left little for the judgment of later generations but a diary of his days in that body: a diary full of biting comments on the men and measures of his time; a diary which has been quoted by scores of historians who dismiss their reporter with comments as caustic as his own. We are told that he was

1 E. S. Maclay, Journal of William Maclay, N. Y., 1890, p. 413.
"an interesting old gossip," a "tattling, faultfinding person of ponderous conceit," and a man of "mean and censorious mind." He was an "atrabilius and parvanimus creature" of "unwholesome personality" to whom everything was "poisoned and distorted by his mean malignancy." A few less choice epithets characterize him as "contemptible," "crude," and "wicked" and also as "a roughneck." These are opinions about Maclay the diarist. I wish to write of Maclay the senator. It is as a standard bearer that he will here claim attention—the lone representative of a too quickly forgotten cause.

No one who reads the Journal can help wondering why Maclay antagonized—it seems purposely—almost everyone with whom he came into contact. Nor can we help wondering why he is so seldom mentioned in the various published writings of his colleagues. Certainly he was a man to command attention—a giant figure, six feet three inches tall, with dark, unpowdered hair swept straight back, searching inquisitive eyes, a thin straight nose, and firm lips clamped together by a strong unyielding jaw. Here was a man of courage who had dodged tomahawks at Loyalhanna and Bushy Run, saved families fleeing from Indian raids around Fort Augusta, fought Hessians at Princeton and Trenton. Here too was a man of experience, trained in the law, thoroughly practiced in surveying, a planner of cities, a person who had traveled to England to meet the proprietors, who had served over a decade in high public office in his commonwealth. Here was neither rustic booby nor city fop, but a well-rounded, red-blooded man. His whole background indicates that he should have had a successful career in the councils of the nation; yet his brief stay in the Senate was a hectic and highly unsatisfactory episode of his life. What was wrong?


We are told that Maclay's troubles in the Senate resulted from natural acerbity aggravated by physical illness, from a pronounced inferiority complex plus dyspepsia, headache, neuralgia, and the gout. But there is nothing to indicate that in private life the man was either bitter or bilious. From a medical and psychological point of view it appears that his difficulties in the Senate were perhaps the cause of his mental attitude and ill health, rather than the reverse. To go back one more step, his stormy days as a legislator probably resulted from a sudden, unexpected, and overpowering attack upon his most basic convictions. Intensely sincere, courageous enough to speak his thoughts and to act out his beliefs, William Maclay was thrown abruptly into a situation which would have made a total nervous wreck of many a weaker man.

It has been commonly stated ever since the publication of the famous Journal of the Senate that Maclay, not Thomas Jefferson, was the original founder of the Democratic party. Certainly he fought for some of the principles that Jefferson was later to write into a party program. But in justice to the Pennsylvania senator let us not claim that he was in any sense the leader of a party. He clearly was not in his own mind and does not appear to have been in the opinion of his colleagues. To this very day research into the period has failed to reveal him as important in any of the partisan movements of the years 1787 to 1792. Many of his contemporaries are found in action at town meetings, conventions, and caucuses, but not Maclay.

Maclay's health seemed all right at the beginning of the session, but got worse. He appears to have been well enough, however, when he was out of the Senate. Five years later, in 1796, he wrote of a seventy-mile surveying trip he took into the snowbound woods of northern Pennsylvania, camping out on the ground for over a month. (Maclay to Edmund Physick, April 7, 1796, Penn-Physick Papers, Historical Society of Pennsylvania.) The few letters on nonpolitical subjects still available do not have the bitter tone of the diary, though they do emphasize Maclay's frugality in money matters. See, for example: Maclay to Edmund Physick, Dec. 25, 1768, Society Collection; and Maclay to his son John, May 2, 1790, Dreer Collection, Hist. Soc. of Pa.

Elected as a Federalist, yet holding the most extreme anti-Federalist views, he had no place in either party. The answer to this seems to be simply that he represented a political outlook that was dead and gone, refused to modify it, and declined to accept any other.

It is fundamental to a proper understanding of the Journal that Maclay be considered as the champion not of things to come, but of things gone by. This was, indeed, his own view. His was the task of standing hopelessly alone to fight what he felt was the last battle of the American Revolution. His every political conviction challenged, his every effort brushed aside or ridiculed, the Pennsylvania senator stuck unwaveringly to his post and loyally to his duty. It is not surprising that this unequal fight left its mark on him. He admits his difficulty in controlling his temper, he confesses that he sometimes emerged from private discussions with his spirit ruffled, and he records that once he rushed out of the Senate chamber in a rage. What Maclay heard and saw in the United States Senate laid the axe to the very roots of his deepest personal and political ideals. Incessantly the blows were laid on. Before his eyes he saw being felled the tree of American liberty. Every day he tried to ward off the blows in vain. Is it any wonder that he should have written in his diary bitter accusations against the woodsmen?

The Journal becomes when read in this light a much more human and understandable document than otherwise. It becomes also more important. It ceases to be a mere record of legislative proceedings or source of picturesque characterizations from which all opinions must be rejected because of the “mean malignancy” of the man. It becomes instead an earnest statement of the political philosophy of the American Revolution applied to the problems of 1790. As such it is unique, for few men clung to that philosophy in its entirety so long, and still fewer achieved high office in the Federalist regime or left any record of their reactions to it. The Journal pictures Hamilton as a monarchist villain and Jefferson as too tame, compromising, and aristocratic to be a true republican. One wonders whether this political position, the extreme left in 1790, was held by any considerable group of citizens at the time and if it was perhaps lack of money, votes, spokesmen, or party leadership that kept them obscured
in the pages of history until the days of Jackson. It must be said that if any line of continuity in political principles is to be drawn from Maclay, it ought to run not to Jefferson, but through the early Snyder Democrats of Pennsylvania to Jackson. It was Maclay's misfortune to be in the Senate at the very end of the first phase of the Revolutionary philosophy. Had the timing been different, his senatorial career, his dyspepsia, and his Journal might all have been less painful.

What is the evidence? The negative part has already been stated in the absence of Maclay from the councils of the Jeffersonians. But the main and positive part lies in the Journal itself. A study of the senator's political principles reveals a complete and easily recognizable pattern. William Maclay was the ideal patriot of 1776, a living composite of the whole revolutionary outlook. One can almost see him as Royall Tyler's Colonel Manly of The Contrast, protector of the oppressed, scourge of tyrants, willing to sacrifice everything for his country, decrying profiteering and luxury, fighting in the Senate against the snobbish, Anglomaniac, money-seeking replicas of Dimple. It would be interesting to know if he had ever seen the play.

But let us look at the proposition suggested. A brief statement of the theory of the Revolutionary period may be condensed from Dr. Merriam's excellent analysis of it. Its basis was a group of four abstract principles: first, that there originally existed a state of nature in which all men were born politically free and equal; second, that all men possess important natural rights—life, liberty, property, and the pursuit of happiness; third, that governments are contractual, deriving their just powers from the consent of the governed; and, fourth, that all valid legislation must rest on the representation or consent of the governed.

From these abstractions were developed a number of concrete applications: the right of revolution; the duty of a government to serve all and not any privileged group; emphasis on what a government should not do rather than on what it can do; rejection of everything connected with royalty or the British system; the feeling that "of more worth is one honest man to society in the

7 Charles E. Merriam: A History of American Political Theories, ch. II.
sight of God, than all the crowned ruffians that ever lived”; and the beliefs that government is the servant of the people, that government cannot be trusted but must be at all times under active suspicion, that any standing military unit must be carefully watched lest the government turn it against the people, that the powers of government must be checked and balanced against one another to prevent concentration of power, that the legislature is the safest and the executive the most dangerous repository of power, and, lastly, that every public officer is a potential enemy to the security of the individual and his property. The very keystone of this reasoning was its individualistic spirit. The center of the arch was the independent, sovereign man with a full set of rights.

Since the basic point is the individual, let us start there. Senator Maclay’s view of independent action was so extreme that any coöperation seemed to him a sacrifice of freedom. His constant determination was to act alone. “I must look to myself and do my conscience justice, and act independent,” he wrote. Pennsylvania’s western congressman, Thomas Scott, he called indolent because he would not “give himself the trouble of acting independently.”

Maclay resolved never to call on the Philadelphia members and then changed his mind and visited them. “But the result,” he said, “has made me re-enact my former resolution. I think it best to respect myself. Let this resolution be as a ring on my finger or the shirt on my back; let me never be without it.” When it was hinted that his actions might hinder his reëlection, he said, “Be it so; so help me God, I mean not to alter one tittle.... Every legislator ought to regard himself as immortal.”

If independence means acting alone, the senator from Pennsylvania was independent. He was the first to challenge Adams on titles and President Washington on executive influence. Often he introduced resolutions with not a man to second him, and in voting he was wont to send a solitary “Nay” ringing through the chamber. Of course he made enemies. He probably credited

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8 *Journal*, p. 183.
himself with more than he really had, for, typical of his kind, he
could not conceive of personal respect for a man with whom he
disagreed politically. He was taking himself very seriously when
he wrote: "I have made enemies of all the secretaries, and all their
tools, perhaps of the President of the United States, and Bonny
Johnny Adams. . . . But I have no enemy in my own bosom."\(^2\)

The fear of monarchy, and especially of everything British,
runs through the whole *Journal*. The very day after Wash-
ton's inauguration Maclay jumped into battle on this front.
Secretary Otis had entered the President's address on the min-
utes as "his most gracious speech." Maclay must have started
up visibly when he heard those words. "I looked around the
Senate," he noted later. "Every countenance seemed to wear a
blank. The Secretary was going on: I must speak or nobody
would. Mr. President: we have lately had a hard struggle for
our liberty against kingly authority. The minds of men are still
heated; everything related to that species of government is odious
to the people. The words prefixed to the President's speech are
the same that are usually placed before the speech of his Britannic
Majesty. I know they will give offense. I consider them as im-
proper. I therefore move that they be struck out."\(^3\)

There follows an entry of the utmost significance. "That the
motives of the actors in the late Revolution were various," it runs,
"can not be doubted. The abolishing of royalty, the extinguish-
ment of patronage and dependencies attached to that form of gov-
ernment, were the exalted motives of many revolutionists. . . .
These ends and none other were publicly avowed, and all our con-
stitutions and public acts were formed in this spirit. Yet there
were not wanting a party whose motives were different. They
wished for the loaves and fishes of government, and cared for
nothing else but a translation of the diadem and scepter from
London to Boston, New York or Philadelphia; or, in other words,
the creation of a new monarchy in America, and to form niches for
themselves in the temple of royalty."\(^4\) Hamilton and Adams he
set down as the leaders of that party.

Thenceforth Maclay was ever on the alert, ever suspicious, and each day brought him new reasons for being on guard. Royal practices and British precedents were demanded in the phraseology of bills, in the suggestion of high-sounding titles for public officers, in the attendance of the Senate at the President's house to deliver the formal answer to his annual message, in the presidential levees, in the adoption of English rules of jurisprudence, in the concentration of power in the executive and his secretaries, in the alleged purchase of votes by cabinet officers, in the creation of a great national debt, in the establishment of a standing army, in the high pay of officials, in the multiplication of offices, in the adoption of an excise tax, and in the attacks upon state sovereignty.

On any one of these points Maclay was likely to end his arguments with some such statement as this: "Indeed, from these small beginnings I fear we shall follow on nor cease till we have reached the summit of court etiquette, and all the frivolities, fopperies and expense practiced in European government." Even Washington, he felt, had succumbed to the pressure and wished "everything to fall into the British mode of business." When Vice-President Adams insisted on mounting his hobby of titles, Maclay could not restrain himself. "Oh Adams, Adams," he wrote, "what a wretch thou art!"

The Pennsylvania Solon probably took more seriously than any of his colleagues the idea that legislators were really servants of the public. He was one of the first to arrive on the job in New York, and the last to leave it. He protested against all time off—especially that consumed in going to levees—and was concerned that the sessions did not start until eleven o'clock and too often adjourned at two. He even thought that there should be no interruption of the public business on New Year's Day and tried his best to transact some.

Maclay held a less academic belief in the equality of men than did Jefferson. He found it perfectly natural to go to hear a negro preach and reported that "it would be in favor of religion

25 Ibid., p. 176.
26 Ibid., p. 216.
27 Ibid., pp. 336 and 413; Maclay et al. to George Read, Mar. 11, 1789, Read MSS, Historical Society of Pennsylvania.
in general if preachers manifested the same fervor and sincerity that were apparent in his manner."^{18} "We Pennsylvanians," he wrote, "act as if we believed that God made of one blood all families of the earth."^{19} He bitterly fought every attempt to restrict the rights of aliens and to increase the difficulties in the naturalization of foreigners. This doctrine of equality he applied to nations as well as to individuals. When the Rhode Island bill was up for consideration, he told the Senate plainly that he felt that it was an attempt to force Rhode Island by terror to an action she refused of her own free will—namely to adopt the federal Constitution. "It was meant to be used in the same way that a robber does a dagger or a highwayman a pistol," he said, "and to obtain the end by putting the party in fear." "Where independence was the property of both sides," he continued, "no end whatever could justify the use of such means in the aggressors."^{20}

One might expect from this line of thought that Maclay opposed a strong army. He considered the appointment of a Secretary of War during peacetime a mad act because the Secretary then had to "find troops lest his office should run out of employment." "I can not blame him," said the senator. "The man wants to labor in his vocation."^{21} Rather than build a fleet to release a dozen American captives from the Algerine pirates and to regain Mediterranean trade, Maclay was for ransoming the prisoners and forgetting about the trade. There were plenty of other markets. The whole object was, he remarked, "that we, like all the nations of the earth, may have a navy... in fact, it seems that we must soon forego our republican innocence, and, like all other nations, set apart a portion of our citizens for the purposes of inflicting misery on our fellow mortals. This is felony to posterity."^{22} "Ill will the government be," he commented, "under which an old man can not eke out ten or a dozen years of unimportant life in quiet; and may God grant peace in my day."^{23}

The much-vaunted idea of a threefold division of powers as a safeguard to liberty Maclay saw corrupted from the very start.

^{18} Journal, p. 232.
^{20} Ibid., p. 267.
^{21} Ibid., pp. 175, 227.
^{22} Ibid., p. 384.
^{23} Ibid., p. 361.
By cloaking the President with legislative authority the Constitution, he feared, was going to turn out "the vilest of all traps that was ever set to snare the freedom of an unsuspecting people." The President wished to "tread on the necks of the Senate" and to overbear its deliberations "with his personal authority and presence." The Secretary of the Treasury and his men controlled everything and were creating a mass of debt which would justify them in seizing all the sources of government, "annihilating the State Legislatures and creating an empire on the basis of consolidation." A sentence from the Secretary of War was "of more avail than all the Constitutions in the United States." The greatest danger of all, he feared, was this: "If the virtues of the present Chief Magistrate are brought forward as a reason for vesting him with extraordinary powers, no nation ever trod more dangerous ground. His virtues will depart with him, but the powers which you give him will remain, and if not properly guarded, will be abused by future presidents if they are men." Maclay was impelled to make his caustic comments not by personal malignancy, but by a firm belief in a well-known political theory. Anyone who reads the Journal with exclusive attention to the political principles of its author will discover that the diarist's opinions are a full, unmodified, and vigorous restatement of the original revolutionary philosophy but a very partial and uncertain statement of Jeffersonian democracy. That Jefferson turned to the revolutionary philosophy for some of his ideas is no reason to maintain that he was influenced in the least by the senator from Pennsylvania, for he could have done exactly the same thing if Maclay had never lived. While the former took part of the revolutionary theory, modified it, and added to it to meet new conditions, the latter clung tenaciously to it all and would not alter "one tittle." Senator Maclay may have been a blunt bigot, but he was also an earnest person true to himself.

The very fact that a man who held to the principles of 1776 found himself an outcast in the United States Senate of 1790 is

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food for thought. The most important object of this paper, however, has been to present William Maclay in a light that would increase understanding of the man and assist in correct interpretation of his *Journal*. It makes some difference whether a man's spirit proceeds from a conflict of principles or from a conflict of digestive juices. And in the case of Maclay this distinction makes his single-handed fight in the Senate a subject of respect rather than reproach and his *Journal* a document which means far more than one man's view.